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TO : Mr. Freers

DATE:
February 20, 1959

FROM : Malcolm Toon *UT*

SUBJECT: SP paper entitled "Proposals concerning Germany" *file* *RHR*

The following are some quick reactions to SP's formula for future negotiations with the USSR on Germany:

1) The SP formula, as SP admits, would probably be rejected by the Soviets but this is no argument against putting it forward.

2) It should not, however, be considered in its present form because (a) it is too radical in that it jettisons much of the concept of four power responsibility and (b) too dangerous in that it does not pay adequate heed to Western security requirements.

3) With regard to (a) the proposal could be improved considerably if a four power commission were substituted for the UN presence in Berlin to guarantee against subversive activities and if the Laender Council operated under the aegis of the four powers, either through the special commission to inspect against subversive activities or through a permanent conference of four power deputies. The following questions come to mind:

a) By suggesting a UN formula don't we seriously weaken the four power responsibility concept and would we not therefore find it difficult to insist on retention of Allied troops in Berlin?

b) What covert activities in Berlin are envisaged (page 3)? Would these include, for example, ballooning, activities of such organizations as the Free Jurist and the SPD Ostbüro, or would they be confined simply to the organized espionage and kidnapping? In any case the definition would have to be carefully formulated in order to exclude RIAS defector reception and refugee flow.

c) While the Laender formula avoids dealing with the GDR as an entity, will we not deal with Ulbricht and his cronies, now cowering as Laender representatives? To forestall this should it not be provided that present Laender officials would be the delegates to the Federal Council or possibly that new Laender delegates would be chosen through supervised elections?

4) With regard to the security aspects of SP's formula the following questions are pertinent:

a) Why would a ban on strategic missiles increase Western Europe's security against missile attack (page 5)? At the present

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stage missiles based in the USSR could reach any target in Western Europe, but Western missiles could not reach strategic targets in the USSR unless deployed as far East as possible.

b) What are firm guarantees against reentry (page 8)?

c) As McSweeney has indicated, would not most of the SP European security proposals continue to be rejected by JCS?

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